

REMARKS

By this Amendment and Response to the non-final Office Action mailed on January 5, 2009 (“Office Action”), Claims 1-2, 5, 8, 10-12, 15, 20, and 23-28 have been amended. No claims have been added and no claims have been cancelled. Accordingly, Claims 1-29 are presently pending in this Application. Applicants submit that the amendments are provided in response to the below-referenced rejections and to further clarify the scope and content of the pending claims. No new matter has been added by these amendments and that support can be found in the Application as originally filed. Applicants also respectfully assert that, as a result of these amendments and the remarks below, the Office Action has been fully responded to and all of the pending claims are now in condition for allowance. Accordingly, Applicants respectfully request reconsideration and allowance of the application.

Summary of Interview

Initially, Applicants thank Examiner Poinvil for graciously granting the telephonic interview on March 31, 2009, and for Examiner Poinvil’s time and attention during the Interview with Mr. Brian Decker. During the Interview, the present Application was discussed in light of the pending rejections under 35 U.S.C. § 101. Examiner Poinvil suggested adding the feature “one or more computers of a payment service provider” to at least one of the elements in each of the independent method claims. As provided herein, Applicants have edited the claims in a manner as discussed during the Interview.

Application No.: 10/608,415
Filed: June 30, 2003
Amendment and Response

Rejections Under 35 U.S.C. § 101

In the Office Action, Claims 1-10, 26, and 27 were rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicants have amended each of the independent Claims 1 and 23 to include the features of “one or more computers of a payment service provider,” as suggested by the Examiner during the Interview, positively reciting at least one feature tied to another statutory class by which steps of the claims can be performed. Accordingly, independent Claims 1 and 23 and, by extension, all claims depending therefrom, are now clearly directed toward patent eligible subject matter under 35 U.S.C. § 101.

Claims Indicated as Allowable

The Office Action stated that all claims are allowable over the art of record, and indicated Claims 11-25, 28, and 29 as allowed in their present form.

In addition to amending Claims 1 and 23, and certain claims depending therefrom, in response to the rejection under 35 U.S.C. § 101, Applicants have provided additional amendments to each of the independent Claims 1, 11, 23, 24, and 25 to further clarify certain features recited therein.

Accordingly, Applicants respectfully submit that all of the Claims 1-29 are now in condition for allowance, and respectfully request reconsideration and allowance thereof.

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CONCLUSION

Reconsideration of the Application is requested in light of the amended claims and the remarks. Applicants believe they have responded to each matter raised in the Office Action. Allowance of the claims is respectfully solicited. It is not believed that any extensions of time or additional fees are required beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

If there are any issues which can be resolved by teleconference call or an Examiner's Amendment, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



Brian J. Decker
Reg. No. 61,258

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SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Atlanta, Georgia 30309-3996
Telephone: (404) 853-8130
Facsimile: (404) 853-8806

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